

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

RONALD BLOODWORTH,

Plaintiff,

vs.

Civil Action 2:10-CV-1122
Judge Marbley
Magistrate Judge King

DEBORA A. TIMMERMAN-COOPER,
et al.,

Defendants.

ORDER

Defendants filed a motion to dismiss "plaintiff's third amended complaint." *Motion to Dismiss*, Doc. No. 39. Defendants' motion refers specifically to Doc. No. 34. In response, plaintiff filed a motion to strike defendants' *Motion to Dismiss*, arguing that he has not filed a third amended complaint. *Motion to Strike*, Doc. No. 45.

Plaintiff's history of filing illegible documents has resulted in some confusion in the record of this case. Nevertheless, it is clear that defendants' *Motion to Dismiss* addresses the complaint appearing at Doc. No. 34. Moreover, even plaintiff acknowledges that that filing represents the operative complaint in this action. Under these circumstances, plaintiff's *Motion to Strike*, Doc. No. 45, is **DENIED**.

Plaintiff has also asked for an extension of time in which to make substantive response to defendants' *Motion to Dismiss*. *Motion Requesting Extension of Time*, Doc. No. 47. That motion is **GRANTED**. Plaintiff may have until December 30, 2011 to make substantive response to the *Motion to Dismiss*.

December 8, 2011

s/Norah McCann King
Norah McCann King
United States Magistrate Judge